

★ FEB 05 2016 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

LARRY JACKSON,

Plaintiff,

v.

VERDICT SHEET
11-CV-3028 (PKC)

JESUS TELLADO, STANLEY MACNEAR,
JOHN CZULADA, JAMES T. GHERARDI,
RYANN DUNN, ROBERT J. DEFERRARI,
KENNETH BRAUMANN, BEN KURIAN,
PETER BONETA, THOMAS E. REO,
MICHAEL FAILLA, and BRIAN E. HEEREY,

Defendants.

X

False Arrest

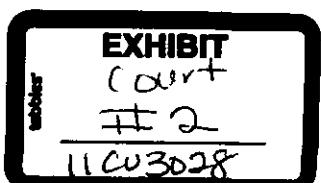
1. Has Plaintiff Larry Jackson proven by a preponderance of the evidence that he was falsely arrested on August 22, 2010?

Yes No _____

IF YOU ANSWERED "YES" ABOVE, PLEASE PROCEED TO QUESTION 1.A.
OTHERWISE, PLEASE PROCEED TO QUESTION 2.

A. Has Plaintiff Larry Jackson proven by a preponderance of the evidence that any of the following Defendants were personally involved in falsely arresting Plaintiff on August 22, 2010?

| | | |
|-----------------------------|---|--|
| Defendant John Czulada: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant James Gherardi: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Ryann Dunn: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Robert Deferrari: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Kenneth Braumann: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Ben Kurian: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Peter Boneta: | Yes _____ | No <input checked="" type="checkbox"/> |



Defendant Thomas Reo:

Yes

No

Defendant Michael Failla:

Yes

No

Defendant Brian Heerey:

Yes

No

PLEASE PROCEED TO QUESTION 1.B.

B. Has Plaintiff Larry Jackson proven by a preponderance of the evidence that any of the following Defendants failed to intervene to prevent his false arrest on August 22, 2010?

If you answered "Yes" on Question 1.A with respect to any of these Defendants, you must answer "No" as to those Defendants here:

Defendant Jesus Tellado:

Yes

No

Defendant Stanley MacNear:

Yes

No

Defendant John Czulada:

Yes

No

Defendant James Gherardi:

Yes

No

Defendant Ryann Dunn:

Yes

No

Defendant Robert Deferrari:

Yes

No

Defendant Kenneth Braumann:

Yes

No

Defendant Ben Kurian:

Yes

No

Defendant Peter Boneta:

Yes

No

Defendant Thomas Reo:

Yes

No

Defendant Michael Failla:

Yes

No

Defendant Brian Heerey:

Yes

No

PLEASE PROCEED TO QUESTION 1.C.

C. Has Plaintiff Larry Jackson proven by a preponderance of the evidence that any of the following Defendants are liable as supervisory officers for Plaintiff's false arrest on August 22, 2010?

Defendant Jesus Tellado:

Yes

No

Defendant Stanley MacNear:

Yes

No

PLEASE PROCEED TO QUESTION 2.

Excessive Force

2. Has Plaintiff Larry Jackson proven by a preponderance of the evidence that he was subjected to excessive force on August 22, 2010?

Yes No _____

IF YOU ANSWERED "YES" ABOVE, PLEASE PROCEED TO QUESTION 2.A.

IF YOU ANSWERED "NO" ABOVE BUT ANSWERED "YES" AS TO QUESTION 1, PLEASE PROCEED TO QUESTION 3.

IF YOU ANSWERED "NO" ABOVE AND ALSO ANSWERED "NO" TO QUESTION 1, YOUR DELIBERATIONS ARE COMPLETE.

A. Has Plaintiff Larry Jackson proven by a preponderance of the evidence that any of the following Defendants were personally involved in subjecting Plaintiff to excessive force on August 22, 2010?

| | | |
|-----------------------------|---|--|
| Defendant John Czulada: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant James Gherardi: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Ryann Dunn: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Robert Deferrari: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Kenneth Braumann: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Ben Kurian: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Peter Boneta: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Thomas Reo: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Michael Failla: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Brian Heerey: | Yes _____ | No <input checked="" type="checkbox"/> |

PLEASE PROCEED TO QUESTION 2.B.

B. Has Plaintiff Larry Jackson proven by a preponderance of the evidence that any of the following Defendants failed to intervene to prevent him from being subjected to excessive force on August 22, 2010?

If you answered "Yes" on Question 2.A with respect to any of these Defendants, you must answer "No" as to those Defendants here:

| | | |
|-----------------------------|---|--|
| Defendant Jesus Tellado: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Stanley MacNear: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant John Czulada: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant James Gherardi: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Ryann Dunn: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Robert Deferrari: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Kenneth Braumann: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Ben Kurian: | Yes <input checked="" type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Defendant Peter Boneta: | Yes <input checked="" type="checkbox"/> | No _____ |

| | | |
|---------------------------|---|--|
| Defendant Thomas Reo: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Michael Failla: | Yes _____ | No <input checked="" type="checkbox"/> |
| Defendant Brian Heerey: | Yes <input checked="" type="checkbox"/> | No _____ |

PLEASE PROCEED TO QUESTION 2.C.

C. Has Plaintiff Larry Jackson proven by a preponderance of the evidence that any of the following individuals are liable as supervisory officers for Plaintiff being subjected to excessive force on August 22, 2010?

| | | |
|----------------------------|---|--|
| Defendant Jesus Tellado: | Yes <input checked="" type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Defendant Stanley MacNear: | Yes <input checked="" type="checkbox"/> | No _____ |

IF YOU ANSWERED "YES" AS TO ANY OF THE DEFENDANTS WITH RESPECT TO QUESTIONS 1 OR 2, OR ANY SUBPARTS THEREOF, PLEASE PROCEED TO QUESTION 3.

OTHERWISE, YOUR DELIBERATIONS ARE COMPLETE.

Damages

3. Has Plaintiff proved, by a preponderance of the evidence, that he suffered any actual damages?

Yes No _____

A. If "Yes," please state the amount of damages to which Plaintiff has proved, by a preponderance of the evidence, he is entitled:

\$ 12,500,000 —

B. If "No," you must award some nominal or token amount not to exceed the sum of one dollar:

\$ 1

PLEASE PROCEED TO QUESTION 4.

4. Punitive Damages: Entitlement: Has Plaintiff proved, by a preponderance of the evidence, that he is entitled to punitive damages against:

| | | |
|-----------------------------|---|----------|
| Defendant Jesus Tellado: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Stanley MacNear: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant John Czulada: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant James Gherardi: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Ryann Dunn: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Robert Deferrari: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Kenneth Braumann: | Yes <input checked="" type="checkbox"/> | No _____ |

| | | |
|---------------------------|---|----------|
| Defendant Ben Kurian: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Peter Boneta: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Thomas Reo: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Michael Failla: | Yes <input checked="" type="checkbox"/> | No _____ |
| Defendant Brian Heerey: | Yes <input checked="" type="checkbox"/> | No _____ |

IF YOU ANSWERED "YES" WITH RESPECT TO ANY OF THE DEFENDANTS LISTED IN QUESTION 4,
PLEASE PROCEED TO QUESTION 5 ONLY AS TO THOSE DEFENDANTS.

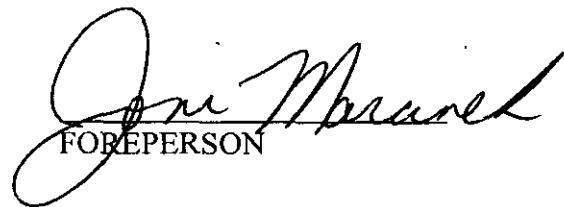
OTHERWISE, YOUR DELIBERATIONS ARE COMPLETE.

5. Punitive Damages: Amount: Indicate the amount of punitive damages to which Plaintiff is entitled from each Defendant to whom you answered "Yes" in Question 4:

| | |
|-----------------------------|--------------|
| Defendant Jesus Tellado: | \$ 300,000 — |
| Defendant Stanley MacNear: | \$ 300,000 — |
| Defendant John Czulada: | \$ 275,000 — |
| Defendant James Gherardi: | \$ 150,000 — |
| Defendant Ryann Dunn: | \$ 150,000 — |
| Defendant Robert Deferrari: | \$ 250,000 — |
| Defendant Kenneth Braumann: | \$ 50,000 — |
| Defendant Ben Kurian: | \$ 400,000 — |
| Defendant Peter Boneta: | \$ 125,000 — |
| Defendant Thomas Reo: | \$ 275,000 — |
| Defendant Michael Failla: | \$ 350,000 — |
| Defendant Brian Heerey: | \$ 50,000 — |

YOUR DELIBERATIONS ARE COMPLETE.

Dated: February 3, 2016


Jim Braumel
FOREPERSON